


Notice of Allowability	Application No.	Applicant(s)	
	09/876,297	SUBRAHMANYAN ET AL.	
	Examiner	Art Unit	
Phuongchau Ba Nguyen	2665		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6-7-01 & interview 11-30-04.
2. ☒ The allowed claim(s) is/are 1-11, 13-14; Renumbered as 1-13 respectively.
3. ☒ The drawings filed on 6-7-01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>9-13-01</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11-30-04</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|--|---|

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Stanley Schurgin on 11-30-2004.

3. The application has been amended as follows:

Claim 11, line 20:

----, wherein the step of determining a bit leak rate value includes the steps of :

determining the magnitude of the composite pointer adjustment signal;

determining the average magnitude of the composite pointer adjustment signal;

determining the bit leak rate as a function of the magnitude of the composite pointer adjustment signal, the average magnitude of the composite pointer adjustment signal ---- had been inserted after the word "value".

Claim 12 had been canceled.

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 1-10, the prior art fails to teach or suggest an apparatus for providing a uniform data signal to an elastic store, the apparatus comprising "an offset generator receiving the bit leak rate value, the offset generator configured and arranged to provide a center offset value; an elastic store configured and arranged to provide an elastic store fill valued indicative of the portion of storage locations containing data, the elastic store also configured and arranged to provide an elastic store center value indicative of the median storage location; a prefilter receiving a system clock signal, the elastic store fill value, the elastic store center value, and the center offset value, the prefilter configured and arranged to provide a uniform read enable signal to the elastic store,"(claim 1) in combination with other limitations, as specified in the independent claim 1.

Regarding claims 11, 13-14, the prior art fails to teach or suggest a method for providing a uniformly gapped data signal from an elastic store, the method comprising the steps of "receiving an elastic store center value indicative of the median storage location in the elastic store; determining a bit leak rate value as a function of at least one characteristic of the composite pointer adjustment signal and the elastic store fill value , wherein the step of determining a bit leak rate value includes the steps of:

- determining the magnitude of the composite pointer adjustment signal;
- determining the average magnitude of the composite pointer adjustment signal;

determining the bit leak rate as a function of the magnitude of the composite pointer adjustment signal, the average magnitude of the composite pointer adjustment signal," in combination with other limitations, as specified in the independent claim 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is 571-272-3148. The examiner can normally be reached on Monday-Friday from 10:00 a.m. to 2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Phuongchau Ba Nguyen
Examiner
Art Unit 2665

DUCHO
PRIMARY EXAMINER



12-01-04